

LEGAL AID IN NATIONAL LAWS: Turkey

Turkey

Is legal aid available? Who is eligible for it?	<p>People who are unable to pay financial costs of filing a legal case are entitled to legal aid (<i>Adli Yardim</i>) in all civil matters, including the legal gender recognition procedure. This means that the person who has been granted legal aid does not have to pay for legal advice or the legal representation fee.</p> <p>The Civil Procedure Law and the Legal Representative Law ensure that an eligible person shall receive legal aid for all court costs (<i>Dava Harclari</i>) and legal fees (<i>Vekalet Ucreti</i>) without paying anything extra to the lawyer assigned by the local Bar (Lawyers) Association.</p>
What is the criteria to be eligible for legal aid?	<p>The applicant is requested to provide a document (<i>Fakirlik Belgesi</i>) issued by the head of their neighbourhood (<i>Muhtar</i>) proving that they lack financial resources to pay for legal assistance. They are also requested to sign a document confirming that the information provided on their financial status is correct (Article 334 of the Civil Procedure Law).</p>
Where can you file the application for legal aid?	<p>The application for legal aid is filed at the local court, higher courts, or the Constitutional Court at any stage of the civil proceeding. While the application can be informal or even made verbally at the court, a specific form must be used that includes the person's financial situation. The local court is responsible for assisting people by providing necessary information and referring them to the Bar (Lawyers) Association. Every local Bar Association has an office responsible for legal aid applications.</p>
What expenses are covered?	<p>Legal aid covers court costs, lawyer fees, and costs for court-ordered expertise in the case of legal gender recognition. However, legal aid does not cover any costs the person may have to pay to the opposing party, particularly their lawyer fees in the event of losing the case.</p>
Is there freedom to choose a lawyer?	<p>No. The lawyer is assigned by a local Bar (Lawyers) Association through an automated system. Only lawyers registered in the system are authorised to provide legal assistance.</p>
Further information (in Turkish)	<p>Detailed explanation of the legal aid system: http://www.barobirlik.org.tr/Detay.aspx?ID=14780&Tip=Haber Declaration about the personal and financial situation: http://www.hukukitavsiyeler.com/2015/03/13/adli-yardim-nedir-adli-yardimdan-nasil-faydalanilir/</p>